

**63G-3-302 Public hearings.**

- (1) Each agency may hold a public hearing on a proposed rule, amendment to a rule, or repeal of a rule during the public comment period.
- (2) Each agency shall hold a public hearing on a proposed rule, amendment to a rule, or repeal of a rule if:
  - (a) a public hearing is required by state or federal mandate;
  - (b)
    - (i) another state agency, 10 interested persons, or an interested association having not fewer than 10 members request a public hearing; and
    - (ii) the agency receives the request in writing not more than 15 days after the publication date of the proposed rule.
- (3) The agency shall hold the hearing:
  - (a) before the rule becomes effective; and
  - (b) no less than seven days nor more than 30 days after receipt of the request for hearing.

Renumbered and Amended by Chapter 382, 2008 General Session